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Inside and Outside Sovereignty, Outside and Inside the Law

Joshua Decter

The paradox of sovereignty consists in the fact (that) the sovereign is, at the same time, outside and inside the juridical order. . . . In one of his last writings, Foucault argues that the modern Western state has integrated techniques of subjective individualization with procedures of objective totalization to an unprecedented degree, and he speaks of a real political 'double bind,' constituted by individualization and the simultaneous totalization of structures of modern power.

— Giorgio Agamben

Art embodies and reproduces legal, political, economic, ideological and other double binds.

Art's sovereignty is always only partial. It is entangled within legal, economic, social, political, and other orders that also constitute, in varying degrees, its own order.

Art is the aporia of art.

Art is governed by the same laws it seeks to break.

And yet we might say that art is always endeavoring to be at once inside and outside 'the law.'

If art breaks these laws, it breaks itself.

Which can result in powerful art.

This is the contradictory 'law' of art as a political embodiment of our own contradictory sovereignty: art is lawless and lawful, at once sovereign and not sovereign.

Just like us.

Can art have extralegal status?

Can humans have extra-sovereign status?

While watching *Citizenfour* at home on HBO, I imagined that the Sony Smart TV was also watching me.

This meta-paranoia was triggered by observing Edward Snowden's rising anxiety about the possibility that his VoIP hotel phone might have been compromised—i.e., repurposed into a listening device.

The Internet of Things becomes the Surveillance of Everything.

Citizenfour is watching us too.

1. GIORGIO AGAMBEN, *HOMO SACER: SOVEREIGN POWER AND BARE LIFE* (1998).

The work of art in the age of legal, economic, and political double binds.

We are the order we seek to disorder.

We are our incomplete sovereignty.

Decriminalize us.